

## **REMARKS**

### **103(a) Claim Rejections**

Applicant's claims 12, 13, 16, 18, 36, 55, 58, 59 and 61 have been rejected under 35 U.S.C. § 103(a) as being obvious over Bender, US Patent No. 6,366,561 in view of Redback release 3.1 ("Redback"). Applicant does not admit that Bender is prior art and reserves the right to swear behind the reference at a later date. In addition, because Redback is attributable to the inventor, Redback does not qualify as prior art. (MPEP 2132.01). Furthermore, Applicant is concurrently submitting a 37 C.F.R. § 132 affidavit stating that Redback is attributable to the inventor. Thus, the combination cannot render obvious Applicant's invention as claimed in claims 12, 13, 16, 18, 36, 55, 58, 59 and 61, and Applicant respectfully requests the withdrawal of the rejection of the claims under 35 U.S.C. § 103(a) over the combination.

### **Objected Claims and Allowable Claims**

Applicant thanks the Examiner for indicating that claims 10, 11, 15, 17, 37-40, 56, 57, 60 and 62 contain allowable subject matter if rewritten to include all the limitations of the claims from which they each originally depended.

In addition, Applicant thanks the Examiner for allowing claims 19-21, 23-30, 32, 34, 35, 42-44, 48-54, and 63-77.

## **CONCLUSION**

Claims 10-13, 15-18, 36-40, and 55-62 are pending. In addition, claims 19-21, 23-30, 32, 34, 35, 42-44, 48-54, and 63-77 have been determined to be allowable. In view of the foregoing remarks, Applicant respectfully submits that all of the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300 x258.

**Deposit Account Authorization**

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

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